

GEORGE B. FREEHILL
WILLIAM L. JUSKA, JR.
JAMES L. ROSS*
ERIC E. LENCK
JOHN J. WALSH*
PATRICK J. BONNER*
PETER J. GUTOWSKI
MARK F. MULLER
WAYNE D. MEEHAN*
DON P. MURNANE, JR.Δ
THOMAS M. RUSSO
THOMAS M. CANEVARI†
MICHAEL FERNANDEZ*
JOHN F. KARPOUSIS*Δ
MICHAEL E. UNGER*†
WILLIAM J. PALLAS*
GINA M. VENEZIA*Δ
LAWRENCE J. KAHN*
BARBARA G. CARNEVALE*
MANUEL A. MOLINA
JUSTIN T. NASTRO*
PAMELA L. SCHULTZ**†
DANIEL J. FITZGERALD*†Δ
MICHAEL C. ELLIOTT*
JAN P. GISHOLT†

LAW OFFICES OF
FREEHILL HOGAN & MAHAR LLP
80 PINE STREET
NEW YORK, N.Y. 10005-1759

TELEPHONE (212) 425-1900

FACSIMILE (212) 425-1901

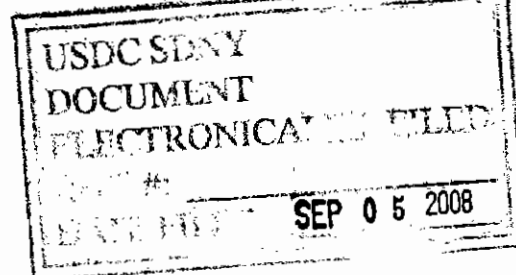
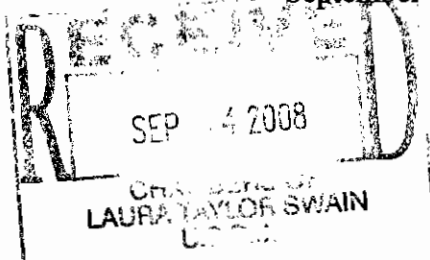
E-MAIL: reception@freehill.com

www.freehill.com

NEW JERSEY OFFICE
549 SUMMIT AVENUE
JERSEY CITY, N.J. 07306-2701
TELEPHONE: (973) 623-5514
FACSIMILE: (973) 623-3813

CONNECTICUT OFFICE
23 OLD KINGS HIGHWAY SOUTH
DARIEN, CT 06820-4538
TELEPHONE: (203) 921-1913
FACSIMILE: (203) 368-8377

September 3, 2008



*ALSO ADMITTED IN NEW JERSEY
†ALSO ADMITTED IN CONNECTICUT
ΔALSO ADMITTED IN WASHINGTON, D.C.
*ALSO ADMITTED IN LOUISIANA

Our Ref.: 435-08/WLJ

BY HAND

The Honorable Laura Taylor Swain
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street, Room 755
New York, New York 10007

MEMO ENDORSED

Re: **Allied Chemical Carriers v. National Biofuels L.P. et al.**
08 Civ. 6880 (LTS)

Dear Judge Swain:

We represent Plaintiff Allied Chemical Carriers in the above-referenced action. We write to report on the status of this action in compliance with your Initial Conference Order of August 16, 2008 and to request an adjournment of the initial status conference that is scheduled for September 12, 2008 at 12:15 a.m. This is our first request for an adjournment.

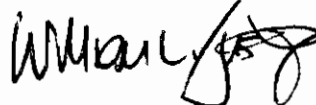
Plaintiff initiated this action on August 1, 2008 seeking security, in the amount of \$126,082.23, to insure satisfaction of two maritime arbitration awards which the Plaintiff has obtained against the Defendant. The Plaintiff's complaint seeks security via an attachment of Defendant's property in this District pursuant to Rule B. Despite continued efforts to restrain funds of the Defendant, Plaintiff has not as yet been successful in restraining any assets, although it continues its efforts to do so by effecting daily service of the Process of Maritime Attachment and Garnishment upon various New York banks. We note that Local Admiralty Rule B.2 recognizes the importance of keeping Rule B actions *ex parte* until property is actually restrained, and provides that notice of

attachment is not required to be given to the Defendant until after its property has been restrained.

In light of the foregoing considerations, we have not notified the Defendant of the September 12 conference. We have recently asked our client whether they have located any new information regarding the location of the Defendant's assets or their ongoing trading patterns, and we await their response. Therefore, we respectfully request that Your Honor grant the within application and adjourn the September 12, 2008 conference, with a proviso that we report back to the court by November 15 on the status of our efforts to locate assets of the defendant.

Respectfully submitted,

FREEHILL HOGAN & MAHAR, LLP



William L. Juska, Jr.

The request is granted. The conference
is adjourned to November 21, 2008,
at 10:00AM

SO ORDERED.

NEW YORK, NY


LAURA TAYLOR SWAIN

Sept 4, 2008 UNITED STATES DISTRICT JUDGE